

REMARKS¹

In the Final Office Action, the Examiner rejected claims 1-18 under 35 U.S.C. § 103(a) as being unpatentable over JP 2002-072135 (*Kobayashi*) in view of JP 08-101367 (*Yugi*). By this Amendment, Applicant has amended claims 1 and 9, and canceled claims 8 and 12-16 without prejudice or disclaimer. Thus, claims 1-7, 9-11, 17, and 18 are pending in this application.

1. Support for Claim Amendments

The support for the amendments to the claims can be found throughout the specification at, for example, Fig. 8.

2. Rejection Under 35 U.S.C. § 103

Applicant respectfully traverses the rejection of claims 1-18 under 35 U.S.C. § 103(a) as being unpatentable over *Kobayashi* in view of *Yugi*. Claims 8 and 12-16 are canceled, rendering their rejection moot.

Claim 1 recites, in part, “parallax information is assigned to each of the sub pixels in units of horizontally arranged sub pixels, the parallax information having a number of parallax differences that are not equal to whole-number multiples of a number of colors of sub pixels.” Claim 9, although of different scope, recites a similar element.

Both *Kobayashi* and *Yugi* are silent regarding assigning parallax information “to each of the sub pixels in units of horizontally arranged sub pixels, the parallax information having a number of parallax differences that are not equal to whole-number

¹ The Final Office Action contains statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Final Office Action.

multiples of a number of colors of sub pixels" as recited in independent claim 1 and similarly recited in independent claim 9. Accordingly, *Kobayashi* and *Yugi*, alone or in combination, fail to teach or suggest each and every element of the claimed invention.

Furthermore, as illustrated in the non-limiting example shown in Fig. 8 of Applicant's specification, in the horizontal direction 10 parallaxes are given to three colors of R, G, and B, and in the vertical direction 5 parallaxes are given to the colors of R, G, and B. By virtue of this feature, sub pixels of adjacent pinholes (or lenses) corresponding to the same parallax have different colors. In other words, the same color is prevented from being continuously observed. Accordingly, the claimed invention has the advantage of restricting color flicker. See, e.g., pg. 14, lines 14-21.

For at least these reasons, *Kobayashi* and *Yugi* fail to teach or suggest every element recited in amended claims 1 and 9. Accordingly, a *prima facie* case of obviousness cannot be established. Thus, Applicant respectfully requests that the Examiner withdraw the rejection of claims 1 and 9 under 35 U.S.C. § 103(a), as well as the rejection of claims 2-7, 10, 11, 17, and 18 which variously depend therefrom.

3. Conclusion

In view of the foregoing, Applicant submits that the claimed invention is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicant therefore requests the Examiner's reconsideration of the application, and the timely allowance of the pending claims.

Please grant any additional extensions of time required to enter this response
and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: April 13, 2009

By: 
Ariana G. Woods
Reg. No. 58,997